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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Xu et al.

Application No.: 09/026,459

Group Art Unit: 1632

Filed: February 19, 1998

Examiner: R. Shukla

For: MODIFIED RETINOBLASTOMA  
TUMOR SUPPRESSOR PROTEINS

Attorney Docket No.: 8660-025

REPLACEMENT AMENDMENT UNDER 37 C.F.R. § 1.116Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

Due to an oversight on the part of Applicants' representatives, in which no clean copy of the claims was provided in accordance with the Rules of Practice, Applicants' representatives hereby submit this replacement Amendment under 37 C.F.R. § 1.116 in order to comply with the Rules of Practice as far as providing a clean copy of the claims. Attached hereto as Exhibit A is a marked-up version of the amended claims indicating the amendments made herein. No other changes have been made in this replacement amendment aside from providing a clean copy of the claims in accordance with the Rules of Practice.

IN THE CLAIMS

Please amend the claims as follows:

1 (twice amended). A DNA segment comprising an isolated gene encoding a modified retinoblastoma tumor suppressor protein other than pRB<sup>94</sup> or pRB<sup>96</sup>, in which said modified retinoblastoma tumor suppressor protein comprises an insertion, substitution or deletion within the N-terminal 378 amino acids of said protein, with the proviso that said modified protein does not consist of a deletion or substitution of amino acids 184-192 or 245-262, which modified retinoblastoma protein has a biological activity at least equivalent to the biological activity of the corresponding wild type retinoblastoma protein.

36 (twice amended). A recombinant host cell comprising a DNA segment comprising an isolated gene encoding a modified retinoblastoma tumor suppressor protein